

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS
HELD ON MONDAY, DECEMBER 15, 2008
209 NORTH YORK STREET
ELMHURST, ILLINOIS**

CALL TO ORDER/ PLEDGE OF ALLEGIANCE/ROLL CALL

Attendance: 65

1. The Regular Meeting of the Elmhurst City Council was called to order by Mayor Marcucci at 7:30 p.m.

Present: Diane Gutenkauf, Norman Leader, Pat Shea, Michael Bram, Susan J. Rose, John Gow, Stephen Hipskind, Moira Moriarty, Chris Nybo, George Szczepaniak, Steve Morley, Donna Lomnicki, Mark A. Mulliner

Absent: Michael J. Regan

Also in Attendance: City Treasurer Pigoni, City Attorney Kubiesa, City Manager Borchert

RECOGNITION OF THE IMMACULATE CONCEPTION STATE CHAMPIONSHIP FOOTBALL TEAM

2. Mayor Marcucci welcomed the I.C. Football Team and asked Coach Bill Schmidt to join him at the podium. He stated that the team has earned his respect and admiration regarding their championship season by coming together after four (4) losses. The Mayor congratulated the team and asked Coach Schmidt to talk about their season.

Coach Schmidt thanked the City Council for their support stating this team has overcome adversity this season. Their goal was to overcome their four (4) losses, persevere and believe in themselves. Along the way they inspired each other and their small school won the state championship. Coach Schmidt introduced the other coaches and the 2008 I.C. State Championship football team; including the first female kicker, Olivia Vetch.

Mayor Marcucci read a proclamation for the team and invited the City Council to extend their congratulations.

RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC

3. None.

PUBLIC FORUM

4. D. Cusack
OS579 Kirk Ave.
Elmhurst, IL 60126

Spoke regarding the Elmhurst Memorial Hospital Development in his neighborhood. He thanked City Manager Borchert and his staff for their response to his questions. Harvard and Kirk Streets access the doctor's office building, an estimated 140 vehicles daily (280 trips a day) increasing the amount of traffic on those streets. This level of traffic is unacceptable for safety and property values.

CONSENT AGENDA

5. The following items on the Consent Agenda were presented:

- a. Minutes of Regular Meeting Held on Monday, December 1, 2008 (City Clerk Spencer): Approve as published
- b. Minutes of the Executive Session Held on Monday, December 1, 2008 (City Clerk Spencer): Receive and place on file
- c. Accounts Payable – December 15, 2008 Total \$ 1,450,537.91

- d. Bid, 2009-2011 Contract Street Sweeping (City Clerk Spencer): Refer to the Public Works and Buildings Committee

December 3, 2008

TO: Mayor Marcucci and Members of the City Council
RE: Bid, 2009-2011 Contract Street Sweeping

In response to an invitation to bid for the 2009-2011 Contract Street Sweeping advertised in the Elmhurst Press on Friday, November 7, 2008, bids were received from two area contractors.

Bids were opened at 10:00 a.m. on Tuesday, November 25, 2008 and following is a summary of the bids received:

<u>Contractor</u>	<u>Three Year Total Price</u>
Elgin Sweeping Services, Inc. (Chicago, Illinois)	\$ 691,198.05
Waste Management of Illinois, Inc. (Franklin Park, Illinois)	\$1,535,777.78

Respectfully submitted,
/s/ Patty Spencer
City Clerk

- e. Report – Dutch Elm Diseased Tree Removal Program Contract Extension The following report of the Public Works and Buildings Committee was presented:

December 8, 2008

TO: Mayor Marcucci and Members of the City Council
RE: 2009 Dutch Elm Diseased Tree Removal Program Contract Extension

The Public Works and Buildings Committee met on Monday, December 8, 2008 to discuss a proposed extension to the contract for Dutch Elm Diseased Tree Removal for the 2009 Dutch Elm Disease season. The City's current contractor is Winkler's Tree Service of La Grange Park, IL.

Elmhurst Municipal Code requires that Elm trees infected with Dutch Elm Disease be removed. If a diseased tree is on private property, the property owner is held responsible for fifty percent (50%) of the cost of removal or three hundred dollars (\$300.00) whichever is greater. The Department of Public Works monitors Dutch Elm Disease in trees, notifies the property owner of the diseased tree and gives the homeowner the option of removing the tree themselves or requesting the City of Elmhurst to proceed with removal through the City's contractor. The contract specifies for removal of diseased private property and public parkway trees and include immediate removal and disposal of diseased materials by the Contractor. The contract does not include the removal of stumps on private property, but does include stump removal and parkway restoration on the public parkway. Winkler's Tree Service has satisfactorily provided various tree services to the City of Elmhurst in the past.

Winkler's Tree Service has agreed to extend their 2008 Dutch Elm Diseased Tree Removal Program prices for the 2009 Dutch Elm Diseased Tree Removal season. Attached, please find a copy of the approved Committee Report that addresses the previous 2007 & 2008 Dutch Elm Diseased Tree Removal extension.

The work to be done under this contract is subject to adequate funds being allocated in the General Fund Account Number 110-6043-434-30-22, for Private Dutch Elm Disease Removals, and Account Number 110-6043-434-30-88, for Public Dutch Elm Disease Removals in the Fiscal Year 09/10 Budget. The final cost and tree count depends on the severity of the spread of the disease.

It is, therefore, the recommendation of the Public Works and Buildings Committee that proposal of the extension of the current contract with Winkler's Tree Service for the 2009 Dutch Elm Diseased Tree Removal Program be accepted.

Respectfully submitted,
Public Works and Building Committee

/s/ John E. Gow
Chairman

/s/ Michael Regan
Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- f. Report – 2009-2011 Contract Street Sweeping Bids The following report of the Public Works and Buildings Committee was presented:

December 8, 2008

TO: Mayor Marcucci and Members of the City Council
RE: 2009-2011 Contract Street Sweeping Bids

The Public Works and Buildings Committee met on Monday, December 8, 2008 to review bids received for the 2009-2011 Contract Street Sweeping. The bids received are summarized on Attachment "A".

The contract is a three-year contract. The annual work consists of seven (7) cycles of general street sweeping throughout the City between mid-March through mid-October, sweeping business districts weekly and business district parking lots monthly from mid-March through mid-December, and sweeping up leaves from City streets from mid-October through mid-December.

Two (2) bids were received, one from Elgin Sweeping Services, Incorporated, Chicago, Illinois, and one from Waste Management of Illinois, Incorporated, Franklin Park, Illinois. Elgin Sweeping Services, Incorporated submitted the lowest responsible, responsive bid with a three-year total price of \$691,198.05. Elgin Sweeping Services Incorporated, performed the 2006-2008 Street Sweeping Contract for the City in a satisfactory manner, for a total bid price of \$550,950.00, and also successfully performed the 2003-2005 Street Sweeping Contract for the City. The increase in price can be attributed to stricter regulations to dispose of sweeping debris, in addition to increases in the cost of wages, fuel, and equipment.

The work to be done under this contract is subject to adequate funds being allocated in the General Fund Account Number 110-6041-432-30-98 in the Fiscal Year 09/10 Budget.

It is, therefore, the recommendation of the Public Works and Buildings Committee that the bid from Elgin Sweeping Services, Incorporated, of Chicago, Illinois, for the 2009-2011 Contract Street Sweeping in the amount of \$691,198.05 be accepted.

Respectfully submitted,
Public Works and Building Committee

/s/ John E. Gow
Chairman

/s/ Michael Regan
Vice-Chairman

/s/ Donna Lomnicki

/s/ Pat Shea

- g. Report – Fire Department Portable Radio's The following report of the Public Affairs and Safety Committee was presented:

December 8, 2008

To: Mayor Marcucci and the Members of the City Council
RE: Fire Department Portable Radio's

The Public Affairs and Safety Committee met on Monday, December 8th, 2008 to discuss the Fire Department's request to purchase 18 new portable radios. Chief Kopp was available to answer the committee's questions.

Current fire department portable radios vary in age and do not meet interoperability needs to communicate with other departments in the area and the state. The new radios will provide additional fire ground frequencies which will play a large role in communications for tactical operations at all emergencies scenes. These new radios will ensure effective interoperable communications which is essential for firefighter safety.

Grant money from the Department of Homeland Security Fire Act grant program along with matching funds from the fire department's current radio budget will be used to purchase 18 new Motorola XTS2500 VHF portable radios. Competitive bids were obtained with results listed below.

Communications Direct Inc. Batavia, IL	\$ 35,975.80
United Radio Communications Inc. Bridgeview, IL	\$ 37,836.00
Portable Communications Inc. Addison, IL	\$ 39,204.00

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve the purchase of 18 new portable radio's from Communications Direct, Inc. of Batavia, IL for the amount of \$35,975.80, of which \$3,597.58 of matching grant funds will be charged to account 110-4020-422-40-41 and the remaining \$32,378.22 will come from a Department of Homeland Security Assistance to Firefighters grant.

Respectfully submitted,
Public Affairs and Safety Committee

/s/ Mark A. Mulliner

Chairman

/s/ Michael Bram

Vice-Chairman

/s/ Chris Nybo

- h. Report – Sewerage Treatment Rate for Illinois American Water Company The following report of the Finance, Council Affairs and Administrative Services Committee was presented:

December 9, 2008

To: Mayor Marcucci and Members of the City Council
Re: Sewerage Treatment Rate for Illinois American Water Company

On November 17, 1975, the City of Elmhurst entered into an agreement with Illinois American Water Company, formerly Citizen's Utility Company of Illinois, for the treatment of sewerage delivered by said company to the North Elmhurst Pumping Station at a rate to be established by resolution. The agreement also requires periodic review of the sewerage treatment rate charged Illinois American Water Company.

The Finance, Council Affairs and Administrative Services Committee met December 8, 2008 to review the current rate and have determined by cost analysis that a rate of \$2.722 per thousand gallons for treatment of sanitary sewerage from the Illinois American Water Company system is an adequate and equitable charge.

It is, therefore, the recommendation of the Finance, Council Affairs and Administrative Services Committee that the City Council approve the new rate of \$2.722 per thousand gallons of sewerage delivered by Illinois American Water Company, and authorize the City Attorney to prepare the appropriate resolution.

Respectfully submitted,
Finance, Council Affairs and
Administrative Services Committee

/s/ George Szczepaniak

Chairman

/s/ Stephen Hipskind

Vice-Chairman

/s/ Moira Moriarty

/s/ Steven Morley

- i. O-36-2008 – An Ordinance Establishing Special Service Area Number Eleven of the City of Elmhurst (Willow Road)

Ordinance O-36-2008 was presented for passage.

- j. O-37-2008 – An Ordinance Authorizing the Sale By Auction of Personal Property Owned By the City of Elmhurst

Ordinance O-37-2008 was presented for passage.

- k. O-38-2008 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008, and Ending April 30, 2009, In and For Special Service Area Number Five of the City of Elmhurst

Ordinance O-38-2008 was presented for passage.

- l. O-39-2008 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008, and Ending April 30, 2009, In and For Special Service Area Number Six of the City of Elmhurst

Ordinance O-39-2008 was presented for passage.

- m. O-40-2008 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008, and Ending April 30, 2009, In and For Special Service Area Number Seven of the City of Elmhurst

Ordinance O-40-2008 was presented for passage.

- n. O-41-2008 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008, and Ending April 30, 2009, In and For Special Service Area Number Eight of the City of Elmhurst

Ordinance O-41-2008 was presented for passage.

- o. O-42-2008 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008, and Ending April 30, 2009, In and For Special Service Area Number Nine of the City of Elmhurst

Ordinance O-42-2008 was presented for passage.

- p. O-43-2008 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008, and Ending April 30, 2009, In and For Special Service Area Number Ten of the City of Elmhurst

Ordinance O-43-2008 was presented for passage.

- q. O-44-2008 – An Ordinance Abating the Tax Levy for the Year 2008 for the Payment of Principal and Interest Accruing Upon an Issue of \$10,000,000 General Obligation Refunding Bonds of the City of Elmhurst Dated December 1, 2001

Ordinance O-44-2008 was presented for passage.

- r. O-45-2008 – An Ordinance Abating the Tax Levy for the Year 2008 for the Payment of Principal and Interest Accruing Upon an Issue of \$18,700,000 General Obligation Library Bonds of the City of Elmhurst Dated April 15, 2002

Ordinance O-45-2008 was presented for passage.

- s. O-46-2008 – An Ordinance Abating the Tax Levy for the Year 2008 for the Payment of Principal and Interest Accruing Upon an Issue of \$10,000,000 General Obligation Refunding Bonds of the City of Elmhurst Dated October 15, 2003

Ordinance O-46-2008 was presented for passage.

- t. O-47-2008 – An Ordinance Abating the Tax Levy for the Year 2008 for the Payment of Principal and Interest Accruing Upon an Issue of \$9,990,000 General Obligation Refunding Bonds of the City of Elmhurst Dated December 1, 2004

Ordinance O-47-2008 was presented for passage.

- u. O-48-2008 – An Ordinance Abating the Tax Levy for the Year 2008 for the Payment of Principal and Interest Accruing Upon an Issue of \$9,065,000 General Obligation Refunding Bonds of the City of Elmhurst Dated December 1, 2005

Ordinance O-48-2008 was presented for passage.

- v. O-49-2008 – An Ordinance Abating the Tax Levy for the Year 2008 for the Payment of Principal and Interest Accruing Upon an Issue of \$9,500,000 General Obligation Corporate Purpose Bonds of the City of Elmhurst Dated March 1, 2006

Ordinance O-49-2008 was presented for passage.

- w. MCO-28-2008 – An Ordinance Decreasing the Number of Authorized Liquor Licenses in the Class B, Class RL and Class RSB Categories and Amending Hours During Which Sales of Package Liquor May Be Made

Ordinance MCO-28-2008 was presented for passage.

- x. ZO-23-2008 – An Ordinance Granting a Conditional Use Permit for a Permanent Bulletin Board Sign on the Property Commonly Known as 367 South Spring Road (Elmhurst Presbyterian Church)

Ordinance ZO-23-2008 was presented for passage.

- y. R-20-2008 – A Resolution to Set the Rate for Sewerage Treatment from Illinois American Water Company

Resolution R-20-2008 was presented for passage.

Alderman Gutenkauf moved to accept the contents of the Consent Agenda. Alderman Lomnicki seconded. Voice vote unanimous, motion carried. Alderman Hipskind moved to approve the contents of the Consent Agenda. Alderman Morley seconded. Roll call vote:

Ayes: Hipskind, Morley, Gutenkauf, Leader, Shea, Bram, Rose, Gow, Moriarty, Nybo, Szczepaniak, Lomnicki, Mulliner

Nays: None

Results: 13 ayes, 0 nays, 1 absent
Motion duly carried

COMMITTEE REPORTS

6. a. CASE NUMBER 08 P-12/CRICKET COMMUNICATIONS CONDITIONAL USE The following report of the Development, Planning and Zoning Committee was presented for passage:

November 25, 2008
Updated December 9, 2008

TO: Mayor Marcucci and Members of the City Council

RE: Case Number 08 P-12/Cricket Communications Conditional Use

Request for Conditional Use Permit for the purpose of co-locating a cellular antenna on an existing tower, and increasing the height of the existing tower from 75' to 90' on property commonly known as 211 W. Spangler (PIN 03-26-406-021), said property being wholly located in the I1 Restricted Industrial district.

The Development, Planning and Zoning Committee met on November 24, 2008 to review the Zoning & Planning Commission report dated November 14, 2008 regarding the subject request. The Committee reviewed the request again on December 8, 2008, after it was sent back to them by the City Council. The Committee also reviewed the documentation supplied by the applicant, and the transcript of the public hearing. The applicant, Cricket Communications, is requesting approval of an increase in tower height, from the existing height of 75' to the proposed height of 90', for the purpose of co-locating a cellular telephone antenna.

The Committee noted the following factors in their review of this request:

- There is a 75 foot tower currently in use for cellular antenna at this site; the existing provider is Nextel. The tower is owned by American Tower.
- The existing tower is located in the rear of the property commonly known as 211 W. Spangler, behind the office/warehouse building in the rear of the lot on a leased sub parcel.
- The subject site is south of and immediately abutting the Commonwealth Edison high power transmission lines; the Commonwealth transmission towers are approximately 100 feet high.
- The Zoning Ordinance allows communication towers, supported from the ground, that do not extend more than 15 feet above the maximum building height restriction of the zoning district. The maximum building height in the I1 district is 45 feet. Therefore, the maximum tower height permitted as-of-right is 60 feet. Communication towers exceeding these regulations (60 feet) may be constructed under a Conditional Use Permit.
- The application complies with all other Zoning Ordinance requirements.
- The Committee included a condition of approval that should any new user replace Cricket for use of the tower above 75 feet, that new user shall be required to obtain a new conditional use approval from the City.

The DPZ concluded that the requested conditional use meets the applicable standards, and therefore should be approved. Upon review at the December 8, 2008 meeting, the Committee agreed to recommend that the request be approved, along with the appropriate ordinance, at the City Council meeting on Monday December 15, 2008.

Therefore, the Development, Planning and Zoning Committee recommends approval of this request, subject to the Condition of Approval that any new user (after Cricket) for that portion of the tower above 75 feet shall be required to obtain conditional use approval from the City of Elmhurst. The City Attorney is hereby directed to prepare the necessary documents for City Council approval.

Respectfully submitted,
Development, Planning and Zoning
Committee

/s/ Susan J. Rose
Chairman

/s/ Norman Leader
Vice-Chairman

/s/ Diane Gutenkauf

Alderman Rose moved to approve item **6a. Case Number 08 P-12/Cricket Communications Conditional Use**. Alderman Gutenkauf seconded.

Alderman Rose stated item **6a. Case Number 08 P-12/Cricket Communications Conditional Use** was returned to committee and received answers on questions on the issue of conditional use on the tower. Alderman Rose stated her support of the report and ordinance.

Alderman Gow stated considering the location of the tower he felt it was a reasonable granting of conditional use.

Roll call vote on item **6a. Case Number 08 P-12/Cricket Communications Conditional Use:**

Ayes: Hipskind, Morley, Gutenkauf, Leader, Shea, Bram, Rose, Gow, Moriarty, Nybo, Szczepaniak, Lomnicki, Mulliner

Nays: None

Results: 13 ayes, 0 nays, 1 absent
Motion duly carried

REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS

7. a. UPDATES (Mayor Marcucci)

Mayor Marcucci reported on the Bicycle Task Force. He stated the appointments have been made, everyone who applied was appointed and there are still openings. He stated he hopes to have the task force up and running soon.

Mayor Marcucci stated regarding the O'Hare Airport Expansion, stating lawsuits are still pending. He said the newspapers stated Elmhurst is a member of the Suburban O'Hare Commission (SOC) but it is not involved in the lawsuits. The Villages of Elk Grove and Bensenville are involved.

Mayor Marcucci reported on the new runway, 27 Right, which produces low and slow air traffic over Park Ridge which has upset its residents. Park Ridge is not a current member of the SOC and is considering rejoining. Bensenville, Roselle and Wood Dale are members. The Mayor stated Elmhurst has not paid any dues for three (3) years. The City owes approximately \$43,000. He stated these communities need to stick together.

Alderman Szczepaniak questioned if the new Obama Administration will demonstrate a fairness of play or have a sympathetic ear.

Mayor Marcucci agreed that could happen. The Mayor reviewed the old and new runway parallel designs for increased safety in the future. The Mayor stated it's a complex issue and Elmhurst needs to remain engaged.

Alderman Bram asked what is the Western Access status?

Mayor Marcucci stated the Western terminal access is planned off of York Road. The airlines however, have stated that they do not have the money and this project clearly will not happen.

The Mayor stated that the North Avenue/294 problem has been removed from a list of issues that need to be resolved but the City is working to put it back on the list.

ORDINANCES

8. a. O-33-2008 – AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2008 AND ENDING APRIL 30, 2009 OF THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-33-2008 was presented for passage.

Alderman Szczepaniak moved to approve item **8a. O-33-2008 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008 and Ending April 30, 2009 of the City of Elmhurst, DuPage and Cook Counties, Illinois.** Alderman Gutenkauf seconded. Roll call vote:

Ayes: Szczepaniak, Gutenkauf, Leader, Shea, Bram, Rose, Gow, Hipskind, Moriarty, Nybo, Morley, Lomnicki, Mulliner

Nays: None

Results: 13 ayes, 0 nays, 1 absent
Motion duly carried

- b. O-50-2008 – AN ORDINANCE MAKING APPROPRIATIONS FOR SPECIAL SERVICE AREA NUMBER ELEVEN OF THE CITY OF ELMHURST FOR THE FISCAL YEAR BEGINNING MAY 1, 2008 AND ENDING APRIL 30, 2009

Ordinance O-50-2008 was presented for passage.

Alderman Rose moved to approve item **8b. O-50-2008 – An Ordinance Making Appropriations for Special Service Area Number Eleven of the City of Elmhurst for the Fiscal Year Beginning May 1, 2008 and Ending April 30, 2009.** Alderman Moriarty seconded. Roll call vote:

Ayes: Rose, Moriarty, Gutenkauf, Leader, Shea, Bram, Gow, Hipskind, Nybo, Szczepaniak, Morley, Lomnicki, Mulliner

Nays: None

Results: 13 ayes, 0 nays, 1 absent
Motion duly carried

- c. O-51-2008 – AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE FISCAL YEAR BEGINNING MAY 1, 2008, AND ENDING APRIL 30, 2009, IN AND FOR SPECIAL SERVICE AREA NUMBER ELEVEN OF THE CITY OF ELMHURST

Ordinance O-51-2008 was presented for passage.

Alderman Rose moved to approve item **8c. O-51-2008 – An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1, 2008, and Ending April 30, 2009, In and For Special Service Area Number Eleven of the City of Elmhurst.** Alderman Bram seconded. Roll call vote:

Ayes: Rose, Bram, Gutenkauf, Leader, Shea, Gow, Hipskind, Moriarty, Nybo, Szczepaniak, Morley, Lomnicki, Mulliner

Nays: None

Results: 13 ayes, 0 nays, 1 absent
Motion duly carried

- d. ZO-24-2008 – A ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR THE PURPOSE OF CO-LOCATING A CELLULAR COMMUNICATIONS ANTENNA ON AN EXISTING COMMUNICATIONS TOWER AND INCREASE THE HEIGHT OF AN EXISTING COMMUNICATIONS TOWER COMMONLY KNOWN AS 211 WEST SPANGLER AVENUE (CRICKET COMMUNICATIONS)

Ordinance ZO-24-2008 was presented for passage.

Alderman Rose moved to approve item **8d. ZO-24-2008 – A Ordinance Granting a conditional use permit for the purpose of co-locating a cellular communications antenna on an existing communications tower and increase the height of an existing communications tower commonly known as 211 West Spangler Avenue (Cricket Communications).** Alderman Moriarty seconded. Roll call vote:

Ayes: Rose, Moriarty, Gutenkauf, Leader, Shea, Bram, Gow, Hipskind, Nybo, Szczepaniak, Morley, Lomnicki, Mulliner

Nays: None

Results: 13 ayes, 0 nays, 1 absent
Motion duly carried

OTHER BUSINESS

9. a. R-21-2008 – A RESOLUTION OPPOSING SENATE BILL 2083 – EMERGENCY BUDGET ACT OF FISCAL YEAR 2009

Mayor Marcucci asked City Clerk Spencer to read resolution **R-21-2008 – A Resolution Opposing Senate Bill 2083 – Emergency Budget Act of Fiscal Year 2009** in its entirety. He stated maybe Council would approve this resolution this evening.

Alderman Mulliner moved to approve item **9a. R-21-2008 – A Resolution Opposing Senate Bill 2083 – Emergency Budget Act of Fiscal Year 2009**. Alderman Gutenkauf seconded.

Alderman Mulliner stated this resolution is important to Elmhurst. It seems unfair that money owed to municipalities can be taken away.

Alderman Nybo moved to amend the 8th paragraph of item **9a. R-21-2008 – A Resolution Opposing Senate Bill 2083 – Emergency Budget Act of Fiscal Year 2009** to remove the entire statement beginning on line 4, “while at the same imposing tax caps to non-home rule communities is blatantly unfair and overly burdensome.” Alderman Moriarty seconded.

Alderman Nybo stated this change was beyond Council’s jurisdiction.

Discussion ensued.

Roll call vote to amend the 8th paragraph of item **9a. R-21-2008 – A Resolution Opposing Senate Bill 2083 – Emergency Budget Act of Fiscal Year 2009** to remove the entire statement beginning on line 4, “while at the same imposing tax caps to non-home rule communities is blatantly unfair and overly burdensome:”

Ayes: Nybo, Moriarty, Lomnicki

Nays: Gutenkauf, Leader, Shea, Bram, Rose, Gow, Hipskind, Szczepaniak, Morley, Mulliner

Results: 3 ayes, 10 nays, 1 absent
Motion failed

Roll call vote to approve item **9a. R-21-2008 – A Resolution Opposing Senate Bill 2083 – Emergency Budget Act of Fiscal Year 2009**:

Ayes: Mulliner, Gutenkauf, Leader, Shea, Bram, Rose, Gow, Hipskind, Moriarty, Szczepaniak, Morley, Lomnicki

Nays: Nybo

Results: 12 ayes, 1 nays, 1 absent
Motion duly carried

ANNOUNCEMENTS

10. Alderman Lomnicki thanked the Public Works Department for the streetscaping job that was recently done along York Rd. from Third Street to North Avenue. She said she was very impressed to see a crew working on Thanksgiving Day. Alderman Lomnicki stated she was very happy with the completed project.

Alderman Gow stated the new way-finding signs are terrific! He said they are easier to read and find your way in Elmhurst.

ADJOURNMENT

11. Alderman Lomnicki moved to adjourn the meeting. Aldermen Mulliner seconded. Voice Vote. Motion carried. Meeting adjourned 8:55 p.m.

Thomas D. Marcucci, Mayor

Patty Spencer, City Clerk